



STATE OF NEVADA

Department of Conservation & Natural Resources

DIVISION OF ENVIRONMENTAL PROTECTION

Jim Gibbons, Governor

Allen Biaggi, Director

Leo M. Drozdoff, P.E., Administrator

October 12, 2007

Notice of Final Decision

Reclamation Permit No. 0160

Celite Corporation

Nightingale Mine Project

The Nevada Division of Environmental Protection (NDEP) has decided to approve a permit modification of Reclamation Permit, No. 0160, for Celite Corporation. This permit authorizes Celite Corporation to reclaim the Nightingale Mine Project. This Project is located in Churchill County, Nevada. The Division has been provided with an application, in accordance with Nevada Revised Statute (NRS) and Nevada Administrative Code (NAC) 519A to assure the Division that Celite Corporation will leave the project site safe, stable, and capable of providing for a productive post-mining land use.

This permit will become final on October 22, 2007. The final determination of the Administrator may be appealed to the State Environmental Commission pursuant to NAC 519A.415. The appeal must be filed by October 21, 2007, and in accordance with Administrative rules of the Environmental Commission.

One public comment letter was received during the public comment period, as follows:

The State of Nevada Division of Water Resources letter dated September 19, 2007 noted there are no active water rights appurtenant to the described lands in the proposed project. NDEP Bureau of Mining Regulation and Reclamation (BMRR) noted this comment.

NAC 519A.415 Appeals to commission.

1. Any person aggrieved by:

(a) The issuance, denial, renewal, suspension, modification, condition or revocation of a permit; or

(b) The issuance, modification or rescission of any other order,
by the state department of conservation and natural resources may appeal to the commission.

2. Any person who requests a hearing before the commission concerning a final decision of the department pursuant to [chapter 519A of NRS](#) may do so by filing a request, within 10 days after notice of the action of the department, on form 3* with the State Environmental Commission, 901 S. Stewart St. Ste. 4001, Carson City, Nevada 89701.

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3. The provisions of [NAC 445B.875](#) to [445B.899](#), inclusive, apply to a hearing of the state environmental commission requested pursuant to subsection 1.

4. The commission will affirm, modify or reverse any action of the department, which is appealed to it.

*(See adopting agency for form.)

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